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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 15-00320 HSG
	)	
Plaintiff,	)	STIPULATION AND ORDER TO
	)	CONTINUE STATUS HEARING DATE TO
vs.	)	JANUARY 11, 2016 AND TO EXCLUDE
	)	TIME UNDER THE SPEEDY TRIAL ACT
	)	
LYNSEY HARTSINCK and	)	Hearing Date: October 26, 2015
SANTIAGO REYNA,	)	Time: 2:00 p.m.
	)	
Defendant.	)	

The above-captioned matter is set on October 26, 2015 before this Honorable Court for a status hearing. The parties jointly request that the Court continue this matter to January 11, 2016, and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, between October 26, 2015 and January 11, 2016, for continuity of defense counsel and for effective defense preparation.

On June 16, 2015, the Grand Jury charged defendants in an eighteen-count Indictment with conspiracy to file false claims, wire fraud, aggravated identity theft and possession of stolen mail. Ms. Hartsinck is out of custody at an inpatient resident at a drug treatment program. Mr. Reyna is in custody.

1           At the first status hearing before this Court in August, the parties informed the Court that  
2 they were reviewing the voluminous discovery and assessing motions and loss amounts to  
3 calculate the sentencing guideline. In September, the parties conducted an evidence view and the  
4 defense requested supplemental discovery. On October 9, 2015 and October 15, 2015, the  
5 government produced additional discovery to the defense, including voluminous records from a  
6 cellular telephone. Accordingly, the defense needs additional time to process the discovery in  
7 this case.

8           In addition, counsel for Mr. Reyna is in trial from November 1, 2015 through  
9 approximately December 11, 2015, and he is out of the country from December 18, 2015 through  
10 January 2, 2016. As a result, the requested continuance would provide for continuity of defense  
11 counsel. For these additional reasons, the parties are in agreement that a continuance until  
12 January 11, 2016 is appropriate.

13           The parties stipulate and agree that the ends of justice are served by this continuance and  
14 outweigh the best interest of the public and the defendants in a speedy trial. The parties further  
15 agree that the failure to grant this continuance would unreasonably deny counsel for defendants  
16 the reasonable time necessary for effective preparation, taking into account the exercise of due  
17 diligence, and it would also deny counsel for Mr. Reyna continuity of counsel. Accordingly, the  
18 parties agree that the period of time from October 26, 2015 until January 11, 2016, should be  
19 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A)  
20 and (B)(iv), for effective preparation of defense counsel and for continuity of defense counsel,  
21 taking into account the exercise of due diligence.

1 DATED: October 23, 2015

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/S/  
COLIN C. SAMPSON  
Assistant United States Attorney

3 DATED: October 23, 2015

\_\_\_\_\_  
/S/  
ADAM PENNELLA  
Counsel for Santiago Reyna

5 DATED: October 23, 2015

\_\_\_\_\_  
/S/  
ANGELA M. HANSEN  
Assistant Federal Public Defender  
Counsel for Lynsey Hartsinck

**ORDER**

Based on the reasons provided in the stipulation of the parties above, the Court hereby finds:

1. Given that the government produced voluminous discovery in this case and produced supplemental discovery to the defense in October 2015;

2. Given that the defense needs additional time to review and to process the discovery in this case;


3. Given that the above-listed task is necessary for the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

4. Given that counsel for Mr. Reyna is unavailable for most of November and December of 2015;

5. Given that the ends of justice served by this continuance outweigh the best interest of the public and defendants in a speedy trial;

Based on these findings, it is hereby ordered that the status hearing date of October 26, 2015, scheduled at 2:00 p.m., is vacated and reset for January 11, 2016, at 2 p.m., for a status hearing. It is further ordered that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from October 26, 2015 until January 11, 2016.

October 26, 2015

  
THE HON. HAYWOOD S. GILLIAM, JR.  
United States District Judge